

**CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES**

**Regular Meeting of Thursday July 10, 2014
City Fire House 1404 Vallecito Road
Angels Camp, California**

CALL TO ORDER

Chair Broeder called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Rudolph, Commissioner Behiel,
Commissioner Gonzalez, and Commissioner Collins

Commissioners Absent: None

Staff Present: Planning & Building Director David Hanham, and Deputy City
Clerk Jennifer Preston

APPROVAL OF AGENDA

**MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER
COLLINS AND CARRIED 5-0 TO APPROVE THE AGENDA AS PRESENTED.**

APPROVAL OF MINUTES

1. Approval of the June 12, 2014 regular meeting minutes.

Corrections

Page 2, 2nd page 8, 2nd line down, change "Gonzales" to "Gonzalez".

Page 4, Item 6, 2nd line down, delete "was".

**MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER
GONZALEZ AND CARRIED 5-0 TO APPROVE THE JUNE 12, 2014 REGULAR MEETING
MINUTES AS AMENDED.**

PUBLIC COMMENTS

OPENED AT 6:02 P.M.

There was no public comment.

CLOSED AT 6:03 P.M.

PUBLIC HEARINGS

- 2. Continued Public Hearing - Resolution 2014-09 A Resolution approving a Conditional Use Permit for a Restaurant "Cuckoo's Nest" located at 206 N. Main Street, APN 058-010-007.**

Planning Director Hanham presented the staff report and Resolution 2014-08 a Resolution approving a Conditional Use Permit for a Restaurant "Cuckoo's Nest" located at 206 N. Main Street, APN 058-010-007. Planning Director Hanham read into the record an email from Kathy Gomes dated July 10, 2014 (see attachment 1).

The discussion that followed concerned the hours of operation and the entrance and exit of the property. Also discussed was the ABC license and requiring the applicant to supply a copy of their license.

CONTINUED PUBLIC HEARING AND REOPENED: 6:22 p.m.

Dale Clifton - 170 Clifton Lane

Mr. Clifton stated that he welcomes new businesses and his only concern is overflow parking with his property next door.

Planning Director Hanham stated that if parking becomes an issue, staff can contact the applicant to fix the issue.

Lou Ryan - Applicant

Mr. Ryan stated that they only want to operate at lunchtime, and possibly having dinners on Friday and Saturday night in the future. Mr. Ryan stated that this will be a small business for himself and his wife, and they will not be hiring help, this will be a family business. The applicant would like to be open longer than 2 o'clock. The applicant is willing to change the exit to the south end and the entrance to the north end of the property to help with headlights hitting the neighbor's windows.

PUBLIC HEARING CLOSED: 6:31p.m.

The discussion that followed was about the serving of beer and wine at certain times of the day. The commission does not want to restrain the applicant with certain hours; that way, if they want to expand in the future, the applicant does not have to come back to the commission for permission to be open later. Restructuring the parking area to have one handicap parking spot in the front and one in the back and to have the entrance to the parking area at the north end and the exit to the south end of the property.

Corrections to Conditions of Approval
Condition 7, delete.

Condition 11, delete "in".

Condition 12, change "Ansell" to "Ansul".

New Condition 12, "The applicant shall have signage for the north driveway that states "Entrance Only" and signage for the south driveway that states "Exit Only"."

New Condition 13, "The applicant shall supply a copy of their ABC license to the Community Development Department."

MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER COLLINS AND CARRIED 5-0 TO APPROVE A CONDITIONAL USE PERMIT FOR PROJECT 2014-23, RESOLUTION 2014-09 THE CUCKOO'S NEST LOCATED AT 206 N. MAIN STREET, APN 058-010-007.

- 3. Public Hearing - Resolution 2014-10 A Resolution approving a Conditional Use Permit for a motorcycle repair shop "Foothill Motorsports" located at 311 Murphys Grade Road, APN 058-019-005.**

Planning Director Hanham presented the staff report and Resolution 2014-10 a Resolution approving a Conditional Use Permit for a motorcycle repair shop "Foothill Motorsports" located at 311 Murphys Grade Road, APN 058-019-005.

The discussion that followed was concerning the paving of the parking area, hazardous materials, and storage of parts will be in containers.

PUBLIC HEARING OPENED: 6:48 p.m.

Daniel Garcia - Applicant

Mr. Garcia stated that this is just a repair shop with no DMV certificates required, and he will submit the Hazardous Materials permit to staff. The repair shop will work on all types of motorcycles.

PUBLIC HEARING CLOSED: 6:52 p.m.

Corrections to Conditions of Approval

Condition 3, add "and copies of State Certificates for Hazardous Materials" after "DMV Certificates".

Condition 4, delete.

MOTION BY COMMISSIONER COLLINS AND DULY SECONDED BY COMMISSIONER BEHIEL AND CARRIED 5-0 TO APPROVE A CONDITIONAL USE PERMIT FOR PROJECT 2014-38, RESOLUTION 2014-10 FOOTHILL MOTORSPORTS LOCATED AT 311 MURPHYS GRADE ROAD, APN 058-019-005, WITH DELETING CONDITION NUMBER FOUR.

PLANNING COMMISSION MATTERS

4. Mark Twain Medical Center - Discussion of City Council recommendation from June 17, 2014.

Planning Director Hanham presented the staff report concerning the recommendation from the City Council meeting of June 17, 2014. Staff recommends that the commission set a date for a workshop on August 12, 2014 with a time of 5:30 p.m. to 8:00 p.m.

The discussion that followed concerned the Prism Study, other traffic studies, who would be notified and how, so that the City can involve the public as much as possible in the workshop. Dale Clifton would like to talk with the City about his property.

MOTION BY COMMISSIONER COLLINS AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 5-0 TO HAVE A WORKSHOP ON AUGUST 12, 2014 FROM 5:30 P.M. TO 8:00 P.M. TO DISCUSS TRAFFIC ISSUES CONCERNING DOGTOWN ROAD, GARDNER LANE, CLIFTON LANE, AND HWY 49.

COMMITTEE REPORTS

5. GPI - General Plan Implementation Committee – Planning Director Hanham

Planning Director Hanham stated that the GPI committee has made the circulation portion of the General Plan the number one priority.

6. DAC – Destination Angels Camp Committee - Chair Broeder

Chair Broeder stated that the DAC's budget has been approved and there is a list of 7 for the advisory committee, which will be meeting on September 18th.

COMMISSIONER'S REPORTS

Commissioner Rudolph stated that she attended the Historical Meeting in Tuolumne.

Commissioner Gonzalez also attended.

Commissioner Behiel played in a golf tournament that benefited the Chamber of Commerce.

Commissioner Collins stated that he has met with someone that would like to bring a manufacturing company here.

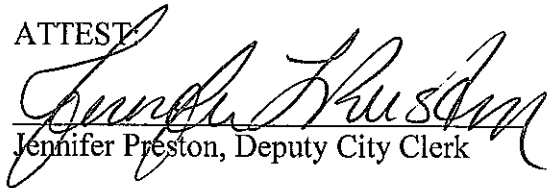
STAFF REPORTS

Planning Director Hanham stated staff has been working on some site plans, a parcel map, housing element, Partnership Planning Grant, Oak Tree Ordinance, Permitted and Conditional Use Permits, re-zone in Greenhorn Creek, Medical Clinic, sidewalk project, CMAQ, bike/ped routes, and DeNova Homes.

MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER COLLINS AND CARRIED 5-0 TO ADJOURN THE MEETING.

MEETING WAS ADJOURNED AT 7:42 p.m.

ATTEST


Jennifer Preston, Deputy City Clerk


John Broeder, Chairman

Attachment 1

From: Kathy Gomes [<mailto:KGomes@co.calaveras.ca.us>]
Sent: Thursday, July 10, 2014 10:55 AM
To: davidhanham@angelscamp.gov
Cc: 'michaelmchatten@angelscamp.gov'; 'coa@angelscamp.gov'
Subject: Planning Commission meeting 7/10/14 CUP 058-010-007 Project 14-23
Importance: High

David,

I was told that the agenda for tonight's meeting was not properly posted and that action of the Conditional Use permit for 058-010-007, Project 14-23 (and any other actions) cannot legally be taken.

I indicated at the last meeting when this item was continued that I would likely not be able to attend tonight.

For the record I want to repeat my concerns regarding this project and would like to have them entered into the record.

I have received a copy of the CUP from the applicant and have also been sent the information your department has determined regarding the permit.

The applicant states this building is unoccupied. This is not the case and has not been the case. There are currently two tenants in the space. I am assuming that they know they will be asked to leave should this project go forward.

I am greatly concerned with the increase in traffic. I was told that the most likely solution to the proposed Mark Twain Hospital center on Dogtown Rd. is to make Clifton Rd a through street and divert all exiting traffic down this road. This option will increase the traffic in front of the proposed restaurant and my home.

From the drawings the applicant provided, the northern entrance/exit on the site will be used for exiting the property only. It is this exit which causes the problems with headlights shining into my home.

While the applicant and your department state the restaurant is for breakfast and lunch only and it will close by 2 pm, I cannot imagine a successful restaurant not being open in the evenings. Will there be a guarantee of some mitigation for the lights shining into my house? The Planning Commission indicated there could be some added. Also, when this business expands its hours, will there be mitigation required to make sure any exterior lighting of the parking lot or building in the front will not adversely affect my quality of life? Will there be mitigation or restrictions should this restaurant wish to add outdoor seating as this may cause unwanted noise in this area?

While I am very much for adding quality businesses to this city, I feel that since my property had its zoning changed out of commercial and put into High density residential, that I must protect the quality of life for my parcel since people will now be living in homes on my parcel.

I very much got the sense that you and the Planning Commission already approved this project prior to the nearby owners being given notice. The conversations during the last meeting were most focused on hurting the applicant financially if there was a delay. It sounded as if the Commission and you were

aware that the applicant was already doing some of the remodeling. There seems to be absolutely no due process for those property owners that are not generating revenue for the city.

As a side note, I wanted to let you know that the new proposed health center would most likely be exempt from all property taxes and therefore there would be no increase in property tax revenue to the city so this should not be used as a reason to approve the project.

Please let me know if action will be taken tonight on those items not properly publicly noticed.

Also, please confirm that my comments in this email will be made a part of the record for this project.

Thank you for your time.

Kathy Gomes
217 N. Main St
Altaville CA 95221